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11-CV-01829-ORD

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHAEL FRANCIS MOYNIHAN, JR.,

Plaintiff,

v.

TOM SCHLICKER,

Defendant.

Case No. C11-1829-JLR

ORDER DISMISSING ACTION

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of James P. Donohue, United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

(1) The Court adopts the Report and Recommendation.

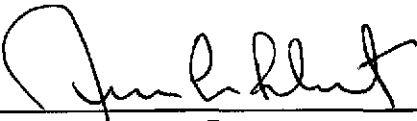
(2) Plaintiff's complaint, and this action, are DISMISSED for failure to state a claim upon which relief may be granted.

(3) Plaintiff's application to proceed *in forma pauperis* is STRICKEN as moot.

ORDER DISMISSING ACTION
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1 (4) The Clerk is directed to send copies of this Order to plaintiff, to counsel for
2 defendant, and to the Honorable James P. Donohue.

3 DATED this 19th day of March, 2012.

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6 JAMES L. ROBART
United States District Judge